

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: GASLIGHT VILLAGE Ad Hoc

DATE: JANUARY 6, 2011

COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:

SUPERVISORS MONROE
 MERLINO
 THOMAS
 KENNY
 BELDEN

DANIEL STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS LOEB
 STRAINER
 TAYLOR
 WOOD
TANYA BRAND, GROUP TOUR PROMOTER, TOURISM DEPARTMENT
ROBERT BLAIS, MAYOR, VILLAGE OF LAKE GEORGE
DAVE DECKER, DIRECTOR, LAKE GEORGE WATERSHED COALITION
WALT LENDER, EXECUTIVE DIRECTOR, LAKE GEORGE ASSOCIATION
LUISA CRAIGE-SHERMAN, DIRECTOR, LAKE GEORGE CHAMBER OF COMMERCE
MIKE CONSUELO, SPECIAL EVENTS COORDINATOR, LAKE GEORGE REGIONAL
 CONVENTION & VISITORS BUREAU
FRED AUSTIN, FORT WILLIAM HENRY RESORT
DAVE REDPATH, LAKE GEORGE CITIZEN'S GROUP
DENNIS BARDEN, LAKE GEORGE CITIZEN'S GROUP
JOANNE GAVIN, LAKE GEORGE CITIZEN'S GROUP
ROBERT FOULKE, LAKE GEORGE CITIZEN'S GROUP
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Monroe called the meeting of the Gaslight Village Ad Hoc Committee to order at 11:02 a.m.

Motion was made by Mr. Belden, seconded by Mr. Thomas and carried unanimously to approve the minutes from the previous Committee meeting, subject to correction by the Clerk of the Board.

Mr. Monroe stated the first item on the agenda was an update on the demolition schedule which would be presented by Dave Decker, Director of the Lake George Watershed Coalition. Mr. Decker distributed copies of Project Schedules for the Stormwater Improvement Project and the Transportation Enhancement Program (TEP) Grant to the Committee members; *copies of the Project Schedules are on file with the minutes.*

Reviewing the Project Schedule for the Stormwater Improvement Project, Mr. Decker noted the activities which had been completed were highlighted in red and the upcoming activities were highlighted in green. He explained that on December 13, 2010 Jackson Demolition, the demolition contractor, had commenced with demolition of the Charley's Saloon and bathroom facilities on the North Parcel. He added Jackson Demolition had completed their work for this phase of the project and he stated the scope of the work had been to remove all the man-made improvements on the South Parcel to one foot below grade.

Mr. Decker apprised he had met with the NYS DOT (New York State Department of Transportation) Field Office staff and was informed that the schedule provided by Kubricky Construction Corporation

was approved by the NYS DOT. He advised the schedule called for Kubricky Construction Corporation to commence with placement of the erosion control and silt fences on January 7, 2011, weather permitting and he added excavation of the South Parcel would commence on Monday, January 10, 2011. Mr. Decker expounded the NYS DOT had accepted a substantial completion date for work on the South Parcel from Kubricky Construction Corporation of April 30, 2011. He said Phase 3 included the remaining construction work to be completed once Kubricky Construction Corporation was finished; the RFP (Request for Proposal) for Phase 3 would be released on January 18, 2011 with a due date for the bids to be received by February 18, 2011. This work, he noted, would include rough grading, installation of the remaining mechanicals which were not installed during Phase 1, as well as the planting. He said they were in discussions with landscape architects relative to the best time to plant each species. He mentioned some of the plants had an extensive lead time for procurement and the NYS DOT, as well as the USDA (United States Department of Agriculture), had advised it was best not to plant in June due to the dry season.

Pertaining to demolition of the remaining buildings on the North Parcel, Mr. Decker apprised the only concern was the unknown pipes or stormwater collection systems which could be present and noted Kubricky Construction Corporation would complete the rough grading in the next two weeks which would reveal these unknowns. He advised if there was no change in the groundwater conditions once the excavation was completed, they would authorize the demolition contractor to complete the remainder of the bid package which included demolition of the remaining building on the North Parcel. Mr. Monroe asked for clarification if the issue with the pipes would be the possibility that they were currently providing drainage which would cease once the pipes were removed. Mr. Decker stated the largest concern was the stormwater drainage system. He explained currently a french drainage (underground) system was in place with a couple of outlets draining into West Brook. He said when the pipes were removed it would disrupt the flow of water and the groundwater would seek a new level. He apprised if Kubricky Construction Corporation needed to enter into a protracted de-watering operation, it would involve work which had not been included in the budget. Following a brief discussion, Mr. Decker stated that when Kubricky Construction Corporation completed the rough grading, the site would be seeded and mulched.

Referring to the Project Schedule for the TEP Grant, Mr. Decker advised regular monthly meetings had been held by the Project Management Executive Committee (PMEC), which consisted of himself, Mr. Monroe, Village of Lake George Mayor Robert Blais and one representative each from The Lake George Association and The Fund for Lake George. He noted that the Lake George Land Conservancy had not appointed a representative and was represented by proxy. He explained the TEP Grant was Federally funded and required an SOQ (Statement of Qualifications), as well as an RFQ (Request for Qualifications), as opposed to an RFP. He advised an RFQ was drafted and sent to the NYS DOT for approval, prior to being released in August 2010. Since that time, he continued, the PMEC had been reviewing the qualifications, interviewing the candidates and had sent a recommendation to the NYS DOT. He noted this process should be concluded in the next two weeks. At the same time, he added, the last meeting of the PMEC had been to review an RFQ for engineering design services which would be released on Monday, January 10, 2011. On January 24, 2011, Mr. Decker announced a pre-submission meeting would be held for engineering firms interested in the RFQ. He mentioned the SOQ's would be due by February 10, 2011, interviews would be held February 17-18, 2011 and a second round of interviews were scheduled for February 25, 2011. He advised the selected engineering firm would be recommended to the NYS DOT for approval on February 28, 2011. Mr. Belden asked if copies of the proposed designs would be made available to this Committee and Mr. Decker replied affirmatively. Mr. Monroe stated that Paul Dusek, County Attorney/Administrator, had advised that the County had the right to approve the final design.

Mayor Blais apprised the PMEC had been meeting on a monthly basis and he asked Chairman Stec how the County would like to proceed with decisions on the former Gaslight Village property as it pertained to the TEP Grant. Specifically, he questioned if the PMEC would be authorized to make decisions and which Supervisor would represent the County on the PMEC. Mr. Monroe pointed out that the Village of Lake George was the grantee of the TEP Grant and he questioned the necessity of the Gaslight Village Ad Hoc Committee's involvement in the selection of an engineering design firm. He added the Gaslight Village Ad Hoc Committee would need to approve the final design for the project.

Following a brief discussion, motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to grant the Project Management Executive Committee the authority to make decisions pertaining to the selection of an engineering company for design services on the North Parcel of the former Gaslight Village property and for overall park enhancements with the understanding that any decisions on the final design be presented to the Gaslight Village Ad Hoc Committee for approval; and to authorize the Chairman of the Board to appoint Frederick Monroe to represent the County on the Project Management Executive Committee. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the January 21, 2011 Board meeting.*

Mr. Monroe advised the next topic for discussion was regarding the condition of the site following demolition as it pertained to a determination of whether to retain the concrete slabs on the property. Mr. Decker reiterated that the scope of work for the contractor called for them to remove all buildings, pads, paving, etc. to a foot below grade and to leave the site seeded and mulched. Mr. Monroe said there had been discussions in the past that it could be helpful to retain the concrete pads. Mayor Blais advised the only use for the property in the Spring of 2011 would be to park vehicles for events. He said if the property was left seeded and mulched, it would be in an appropriate condition for that purpose. Mr. Belden recommended the removal of the concrete pads and paving and noted removal at a later date would not be covered by the grant funding. Mayor Blais apprised the Village had retained the light poles which were currently in storage and they would dismantle the chain link fence on the South Parcel so it could be utilized to fence in the upcoming events. Mr. Taylor stated the property would be better suited for parking if the ground were compacted and Mr. Decker agreed and added that compaction could be added to the scope of work. Mr. Monroe pointed out that one of the design versions had included a sub-surface structure to allow a hardened surface for parking with grass on top of it. Mr. Decker responded the final design was a separate matter and the contractor would be leaving the site in anticipation of further construction. He added the seeding and mulching were merely to protect the property from erosion. Mr. Monroe questioned if the Committee wanted to authorize compaction of the ground and Mr. Decker said he would request a cost estimate from the contractor. Mr. Dusek asked the source of funding for compaction of the ground and Mr. Decker replied the cost would be covered by grant funding. Following a brief discussion, it was the consensus of the Committee that the ground on the property be compacted.

Mr. Monroe said the next item for discussion was the possible appointment by the County of a Project Administrator. He added that Mr. Dusek had advised the County should appoint one person to monitor the project, attend all the meetings and report to the Gaslight Village Ad Hoc Committee. Mr. Dusek stated there were several entities that held meetings to discuss topics concerning the property and it was advisable to appoint one person who could attend the meetings and report back to the Committee. He added the Project Administrator could be a County or a Village of Lake George employee and he suggested the following County employees: Paul Butler, Director of Parks, Recreation & Railroad; Jeffrey Tennyson, Superintendent of the Department of Public Works; or

JoAnn McKinstry, Assistant to the County Administrator. Mr. Belden agreed it was important to have a Project Administrator and he suggested Mr. Butler was the best choice. Mayor Blais mentioned that David Harrington, Jr., Superintendent of Public Works for the Village of Lake George, had been the Village's point person for the project and he noted that Mr. Tennyson attended all the meetings held by the Village pertaining to the property. Mr. Taylor suggested Wayne LaMothe, Assistant Director of the Planning & Community Development Department, as an appropriate Project Administrator. Mr. Monroe stated he would discuss the issue with Chairman Stec and would inform the Committee who would be appointed at the next meeting.

Mr. Monroe apprised the next topic on the agenda was discussion of the fees to be charged for use of the Festival Space in 2011. Mayor Blais commented that Michael Consuelo, Special Events Coordinator for the Lake George Regional Convention & Visitors Bureau, had suggested the following usage fees: \$1,800 per day; \$900 per half-day; \$300 set up/tear down fee; and 25% discount for not-for-profit organizations. He noted the suggested fees were for use of the Festival Space prior to construction of any amenities and the users would be responsible for utilities, such as, port-a-potties and portable lighting. He added usage fees could be re-evaluated at a later date once construction of amenities was completed. Brief discussion ensued.

Motion was made by Mr. Belden, seconded by Mr. Thomas and carried unanimously to establish usage fees for the Festival Space on the former Gaslight Village property, as follows: \$1,800 per day; \$900 per half-day; \$300 set up/tear down fee; and 25% discount for not-for-profit organizations with the user being responsible for utilities. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the January 21, 2011 Board meeting.*

Mr. Dusek stated it was necessary to agree on the parking fees to be charged for 2011 and Mr. Monroe advised the amount charged thus far was \$5 per vehicle. Mr. Belden asked if a small building had been constructed in the parking area and Mayor Blais replied a portable building had been erected to allow the parking attendants a location to sit that was out of the sun. Mayor Blais mentioned that lighting was necessary for the parking area and quotes had been obtained for rental of portable lights. He advised that Mr. Tennyson was determining if the County had any portable lights which could be utilized. Mayor Blais commented the parking area was not accessible to Route 9 as it had been in the past and signage was being constructed to direct traffic to the area. Mr. Belden suggested the parking fee remain at \$5 and he suggested the purchase of a ticket counter machine to track the number of vehicles parked. Mayor Blais stated the Village of Lake George had implemented a parking procedure which utilized a two-part ticket wherein one part of the ticket was placed on the dashboard of the vehicle and the other part of the ticket was retained by the parking attendant. He noted the parking attendant periodically checked the vehicles in the parking area to ensure they had tickets on the dashboard.

Motion was made by Mr. Thomas, seconded by Mr. Belden and carried unanimously to establish a parking fee rate of \$5 per vehicle and to approve the procedure for parking vehicles implemented by the Village of Lake George, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the January 21, 2011 Board meeting.*

Mr. Monroe said the next item for discussion was to determine the entity that would be responsible for billing and collecting fees from licensing property for use and remitting payment to the County Treasurer. He added it was his understanding that the Village had offered to act as the Agent for the property. Mayor Blais suggested Mr. Harrington meet with the Project Administrator once one was appointed to determine a plan and budget for the property for 2011. Mr. Belden suggested the fees

collected should be remitted to the County Treasurer on a monthly basis. Mr. Dusek stated there were two separate issues: the responsible party for collecting parking fees and remitting same to the County; and the responsible party for renting use of the property for events, collecting and remitting fees for same. He advised all of the fees collected would need to be remitted to the County prior to paying expenses or distributing the Village's portion. Mr. Geraghty advised that General Municipal Law required that money be deposited within ten days and he questioned why fees collected for the property would not be remitted to the County immediately. Mr. Merlino suggested the fees collected should be remitted to the County on a weekly basis and any checks written for usage should be made payable to the Warren County Treasurer. Mayor Blais agreed it was best to simplify the process. He stated the event promoter could complete the application for usage of the property with the Village of Lake George and make checks payable to the Warren County Treasurer.

Motion was made by Mr. Belden and seconded by Mr. Thomas to establish a procedure for remittance of fees collected for parking and use of the Festival Space on the former Gaslight Village Property with the Village of Lake George acting as the Agent for the property to provide applications for usage of the Festival Space and collect payment for the usage; and any payment made by check would be made payable to the Warren County Treasurer.

Mr. Merlino suggested remittance of the fees on a weekly basis be included in the motion and Mr. Monroe advised it would be best to state remittance within ten days as opposed to weekly. Mr. Merlino clarified that he was referring to the parking fees being remitted on a weekly basis and Mr. Geraghty agreed the parking fees collected should be accounted for immediately. Mr. Geraghty suggested the fees be remitted to Mrs. McKinstry on a weekly basis and then forwarded to the County Treasurer's Office. Mr. Dusek clarified that the Village of Lake George would act as Agent for the property and would collect checks for usage made payable to the Warren County Treasurer; the Village would remit parking fees and checks collected for usage on a weekly basis to Mrs. McKinstry; and Mrs. McKinstry would maintain records of fees collected prior to forwarding the funds to the Treasurer's Office. Mr. Belden suggested invoices for maintenance of the property should be presented to the County on a monthly basis and Mayor Blais agreed. Mr. Dusek recommended the amount charged for maintenance and the type of maintenance being performed should also be agreed upon.

Mr. Monroe called the question and the motion was carried unanimously to establish a procedure for remittance of fees collected for parking and use of the Festival Space of the former Gaslight Village property, as follows:

- the Village of Lake George acting as the Agent for the property by providing applications for usage of the Festival Space and collecting payment for the usage; and
- any checks being made payable to the Warren County Treasurer and any fees collected for usage of the Festival Space and/or parking being remitted by the Village of Lake George to the Assistant to the County Administrator on a weekly basis.

A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the January 21, 2011 Board meeting.

Mr. Monroe stated the next item for discussion was to determine the responsible party for maintaining and securing the property for 2011 and he noted the Village of Lake George had volunteered to be the responsible party. Mayor Blais responded the Village of Lake George had volunteered to maintain the property for the summer and he did not anticipate a significant amount of maintenance would be required. He advised he would have further information available for the next Committee meeting.

Mr. Decker announced that during construction on the South Parcel the contractor was responsible for maintaining sediment and erosion control measures. He said he had requested the engineer to develop an interim and a long term site maintenance plan as it pertained to stormwater treatment. Once the planting was completed, he continued, there was maintenance which would be required for the stormwater project portion. Mr. Monroe suggested the information should be coordinated with Dave Wick, District Manager of the Soil & Water Conservation District, and Mr. Decker responded that Mr. Wick had participated in prior discussions. Mr. Decker advised a draft document was being developed for presentation at a future Committee meeting.

Discussion ensued.

Mr. Kenny inquired as to the possibility of selling the naming rights for the Festival Space. Mayor Blais noted the Village of Lake George was agreeable to selling the naming rights and added there was an interested party who had contacted him regarding this matter. Mr. Kenny asked if a minimum bid should be determined and if it was possible to retain the right to reject any of the bids. Mr. Monroe suggested the County could release an RFP to solicit proposals for the purchase of the naming rights. Mr. Dusek mentioned the sale of the naming rights would be limited to the Festival Space as bonded funds were used to purchase the remainder of the park. He said it was his belief that when the County bonded funds for the Festival Space they had done so in a format that would allow the selling of naming rights. Mr. Kenny stated the Festival Space would incur unanticipated expenses and it would be beneficial to have a source of funding to cover those expenses. Mr. Dusek said he would research the legality of selling the naming rights and present a report at the next Committee meeting. He advised he would work on a draft RFP in the meantime which he would present to the Committee at the next meeting, assuming there were no legal issues.

Mayor Blais requested authorization to work with Mr. Tennyson to erect a post and rail fence on the south side of West Brook Road. He advised there had been an issue with vehicles parking too close to the brook which the Village of Lake George had attempted to correct by placing barrels in the area; however, he added, they were having a problem with trash being thrown in the brook and there was the potential of gas and oil leakage from vehicles. He said he wanted to work with Mr. Tennyson on obtaining a quote for materials to construct a post and rail fence. Mr. Belden stated he would present the issue at the next Public Works Committee meeting.

Mr. Monroe commented there had been discussions requesting clarification of the arrangement in which the Village of Lake George had purchased the Town of Lake George's share in the property. He stated the Village of Lake George had borrowed \$210,000 and \$105,000 would be repaid to the Village using revenues collected for use of the property once expenses and maintenance were paid. Following a brief discussion, Mr. Monroe requested Mr. Dusek to research the agreement details and report to the Committee at the next meeting.

As there was no further business to come before the Gaslight Village Ad Hoc Committee, on motion made by Mr. Belden and seconded by Mr. Thomas, Mr. Monroe adjourned the meeting at 12:09 p.m.

Respectfully submitted,
Charlene DiResta, Senior Legislative Office Specialist